

INFORMATION BULLETIN

WORKFORCE INVESTMENT ACT

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: LWIA ADVISORY COMMITTEE CONFERENCE CALL MINUTES—
NOVEMBER 17, 2006

The minutes from the Local Workforce Investment Area (LWIA) Advisory Committee conference call on Friday, November 17, 2006, are attached for your review and information. Please ensure that the minutes are provided to the appropriate staff.

If you have any questions regarding the minutes, please contact Terrietta Robinson at (916) 654-8035 or Jim Scholl at (916) 657-4610.

/S/ BOB HERMSMEIER
Chief
Workforce Services Division

Attachments

LOCAL WORKFORCE INVESTMENT AREA ADVISORY COMMITTEE CONFERENCE CALL

Friday, November 17, 2006

Agenda

- 10 a.m. Welcome/Agenda Building/Hot Topics Bob Hermsmeier,
Workforce Services
Division (WSD)
- Branch Reorganization
 - Request for Proposals
 - Cost Sharing
 - Performance Negotiations Update
 - Trade Act Coordination
 - Wage Record Interchange System Update
 - Status of Dislocated Worker (DW) Accounting/
Expenditures
 - Eligible Training Provider List Directive
 - Job Training Automation Feasibility Study
Report/Request for Information
 - WIA Draft Directive WIADD-130 – Required
Ethics Training for Local Board Members
- CWIB Information
- CWIB Ad Hoc DW Committee updates
regarding formula changes
 - Senate Bill 293
 - Waivers
 - Special Committees Update
- Ray York, California
Workforce Investment
Board (CWIB)
- Discussion
- Self Service Count Coordination
 - System Building: Tools for Workforce
Investment Boards
 - Mandatory Follow-up of all Adult/DW Exiters
 - Purchasing Restrictions
 - Customer Satisfaction
- Liz Clingman, WSD
Fred Stone, San Mateo
Workforce Investment
Board (WIB)

Jan Vogel, South Bay
WIB

Jan Vogel
Liz Clingman

LOCAL WORKFORCE INVESTMENT AREA ADVISORY COMMITTEE CONFERENCE CALL MINUTES

Friday, November 17, 2006

Welcome/Agenda Building/Hot Topics—Bob Hermsmeier, Workforce Services Division (WSD)

- **Branch Reorganization** – The new Workforce Services Branch will consolidate the functions of the Job Services and Workforces Investment Divisions. The new reporting structure will be in place on December 1, 2006, but we will be in a transitional mode for a while.

Bob announced the promotion of Liz Clingman as the new Deputy Chief responsible for the Information Technology and Program Accountability Section in WSD. He also announced that the WSB will be filling the position of Deputy Chief responsible for the Program and Technical Assistance Section in WSD.

A new organizational chart will be released in the very near future.

- **Request for Proposals (RFP)**—The State is in the final stages of the approval process for the Workforce Investment Act (WIA) 15 percent RFP. It is anticipated that the awardees will be announced in late December.

The Rapid Response (RR) projects are on a faster track. The announcement should be out in early December.

- **Cost Sharing**—Steve Saxton, WSD. The research team has completed the data collection on the four case study sites. The team has also prepared a survey that will be sent out to the 20 volunteer One-Stops. The survey results will be shared with the State Board at their March 2007 meeting.
- **Performance Negotiations Update**—Liz Clingman, WSD. The State is working on local negotiations. Information Bulletin WIAB06-19, WIA and Wagner Peyser Statewide Performance Goals for Program Year (PY) 2006; dated September 27, 2006, identified the State's goals. The Bulletin states that until the Local Workforce Investment Boards (LWIB) receive their final performance goals for PY 2006-07, they should keep the State's goals in mind along with their own historical performance. Please do not conclude that the State is taking the perspective that performance must continue to increase every year. If a local area has achieved a high level of performance, last year's goals may very well be perfectly acceptable. The State is trying to give the local areas some parameters to consider when evaluating their performance until final local performance goals are issued for PY 2006-07. Local Workforce Investment Areas (LWIA) can introduce local factors for consideration and negotiate those goals with the State. Although the State's local performance proposal of PY 06-07 has not been released, LWIAs may submit a performance proposal to the WSD at any time during the year.

- **Trade Act Coordination**—Liz Clingman, WSD. As Wagner-Peyser and WIA business operations are consolidated, the State is looking at the Trade Adjustment Assistance (TAA) Program as one of the first programs to strengthen the partnership between the LWIA and EDD Job Service (JS) programs. It is anticipated that the Job Training Automation (JTA) system will be the TAA data management system. The Branch's vision is to put out common policy to the JS field and the LWIA staff which encourages better coordination of the TAA program and removes the barriers.

Liz Clingman agreed with Mike Curran's request to establish a TAA workgroup that includes both State and local area staff.

- **Wage Record Interchange System (WRIS) Update**—Liz Clingman, WSD. Due to some contractual difficulties between the National Association of State Workforce Agencies (NASWA) and Department of Labor (DOL), California has withdrawn from its participation in WRIS. California along with several other states has pulled out of WRIS because DOL did not establish a new contract with NASWA to protect the confidentiality of the wage record data. Therefore, California is currently not matching to WRIS, but is working on a solution. The DOL has issued a new contract and has asked the states to review it and sign it by December 31, 2006. Liz expects the issue to be resolved before the end of the program year when the official performance is calculated for the year. If this issue is not resolved quickly, the State will also take the negative impact caused by the lack of WRIS into account when analyzing each local area's performance.

As of the date of these minutes, due to outstanding legal questions, California has still not ratified the new WRIS agreement. Only 8-9 States have approved the new agreement.

- **Status of Dislocated Worker (DW) Accounting/Expenditures**—Dave Rexius, WSD. We have contracted \$16.4 million which is all of the rapid response baseline funds. Currently, there is approximately \$10 million available in the 25 percent account with pending requests totaling approximately \$5.5 million.

Based on the expenditures reported by each LWIA for the June 30, 2006, quarter, 17 percent of the amount allocated in PY 2005-06 for adult formula funds moved forward to PY 2006-07, 22.5 percent of the youth formula funds moved forward, and 20 percent of the DW formula funds moved forward. Based on the obligation amounts reported, the percentages carried forward into PY 2006-07 dropped with only about 7.5 percent moved forward for adult funds, 7.6 percent in youth and 8.2 percent in the DW.

- **Eligible Training Provider List (ETPL) Directive**—Liz Clingman, WSD. Draft Directive WIADD-128, *Eligible Training Provider List (ETPL)* is posted on the EDD Web site. The Directive articulates the Board's policies and the EDD's administrative processes related to the ETPL for determination of initial eligibility. All provisions related to subsequent eligibility are removed from the Directive because California's waiver on subsequent eligibility is valid through June 30, 2007. The California Workforce Investment Board (CWIB) staff plan to request an extension of that waiver with the next State Plan. Waivers are only good for the life of the existing State Plan period.

- **JTA Feasibility Study Report (FSR)/Request for Information (RFI)**—Liz Clingman, WSD. The State published a RFI. This is the tool being used to get information on off-the-shelf (already developed) systems that meet the specified business requirements. The State received 11 responses to the RFI. Staffs have completed a formal review of those responses. Liz noted if anyone is interested in the State's business requirements, the RFI is the best source for that data and is posted as Information Bulletin [WIAB06-3](#) on EDD's Web site. However, before any decisions regarding significant automation changes for CalJobs/Wagner-Peyser and JTA can be made, the Department has to complete a FSR. The FSR will present multiple solution options. One option will be an off-the-shelf system identified through the RFI process. The target date for completing the FSR is December 31, 2006.
- **Ethics Training**—Steve Saxton, WSD. There have been questions with regards to Draft Directive WIADD-130, *Required Ethics Training for Local Board Members*. The change was made because of Assembly Bill (AB) 1234 which passed into law in October 2005 and went into affect in January 2006. To assist in clarifying questions regarding Draft Directive WIADD-130, the State released WIA Directive WIAD06-13 on December 28, 2006.

Also, there is on-line training available on the Ethics Training for Local Officials page at localethics.fppc.ca.gov/ab1234. If you need further assistance, please contact your [Regional Advisor](#) at (916) 654-7799.

- **CWIB Information and Updates**—Ray York, CWIB.
 - **Ad hoc DW update:**
The Committee adopted the formula factors associated with the DW funds. The full board will vote on the new formula at the November meeting. Subsequent to the Advisory call, the full board did pass the new DW formula at their November 30, 2006, meeting.
 - **Transferability of Adult and Dislocated Worker Formula Funds:**
California has been granted a waiver of the funds transfer limitation at WIA 133(b)(4). As such, in accordance with WIAD05-12, *Transfer of Funds for Adult and Dislocated Worker Programs*, through April 30, 2007, the State will accept and review LWIA requests to transfer up to 50 percent of allocations between the WIA Adult and DW formula funding streams. The purpose of this waiver is to provide LWIBs with greater flexibility to respond to changes in their local labor markets, to better meet the needs of their customers, and to allow greater responsiveness to worker dislocations. This waiver will apply to PY 2005-06 Adult and DW funds carried over into the current year, and any PY 2006-07 Adult and DW formula funds. Transfer requests for any PY 2005-06 funds will be processed on a case-by-case basis to ensure all previous amounts transferred have been factored into the 50-percent limitation.

- Senate Bill (SB) 293:

This piece of legislation has passed. It mandates doing a state workforce strategic plan, and some specific requirements relative to the Board's membership. It also requires specific policies on the One-Stop certification process and specifies other requirements applying to educational services and the fiscal relationship with WIA services. Although SB 293 is going into effect January 2007, the LWIAs are not responsible to implement these provisions until they received guidance from the CWIB. Ray York also promised to send out preliminary timelines to implement SB 293.

- Waivers:

California received a letter from the DOL approving three of the four waivers that were submitted. The Public Service Employment waiver was rejected by DOL. CWIB had a waivers workgroup meeting last week in which the workgroup participants express continued interest in participating in future waiver possibilities, specifically as it plays into the SB 293 State strategic planning efforts. There is an opportunity for additional members to be added to the workgroup.

- Business and Industry Committee:

The Solicitation for Proposal (SFP) for the Regional Collaboration/Local Coordination is essentially incentive awards focusing on business relationship within the local area. The funding is going to be about \$420,000. The committee will be looking at other opportunities or best practices to be identified within the workforce community, other linkages with economic development agencies and exploring some State marketing efforts for the One-Stop system.

- Targeting Resource Committee:

The committee developed a strategic planning framework for workforce investment. The concept paper identified principles or guidelines relative to effective partnerships. The committee may use it as a possible guideline paper or principles for the SB 293 strategic planning efforts. The concept paper may also develop into SFPs, regional forums, and/ or possibly a resources guide.

The committee is also looking to fund labor market information for the local areas. This could include publication of occupational studies.

- Life Long Learning Committee:

The committee will be releasing a SFP that targets high concentration of eligible youth and at-risk youth. The goal is to increase the number of 14 to 20 year old at-risk youth served.

The DOL has requested a State vision team be developed. The committee is identifying the appropriate partners. This will be important relative to SB 293 effort and the DOL two year planning guidance.

The community college will be holding a series of apprenticeship regional forums that will be focusing on assisting youth to overcome barriers to become successful apprentices in high wage, high growth occupations.

– Accountability in Workforce Investments:

We have a cost study that is looking at how One-Stop Centers are financed and operated. The research team has completed all four piloted case studies. They are compiling the data and beginning to draft reports. They will survey the 20 comprehensive One-Stops representing the diversity of the California One-Stops. Hopefully everything will be finalized in March for a presentation before the Board.

The One-Stop certification has a January 2007 implementation date. There are four demonstration sites currently piloting the One-Stop self certification assessment guide. Results from the demonstration sites will help revise the resources guide, modify the application forms and reflect the lessons learned from those sites. We are also focusing on the One-Stop branding and the capacity building. The California Workforce Association (CWA) requested EDD and the CWIB to look at how capacity building and technical systems could be effectively maximized to give more value. A workgroup identified five short term recommendations to ensure ongoing collaboration and continuous improvement. These recommendations will be presented to the Board in late November.

Mandatory Follow-up of all Adult/DW Exiters—Jan Vogel, South Bay. This issue came out of the CWA Issues Committee meeting. Jan noted the State was imposing mandatory follow-up on all adult and DW exiters. Although the Issues Committee agreed this follow-up is probably a good idea, the objection was that it is a State imposed requirement that isn't mandatory by the Act.

Bob Hermsmeier responded that WIA Reauthorization probably would require this mandated follow-up.

Liz Clingman indicated that some data collected during the follow-up period improves performance. Also, the WIA states that follow-up services should be provided, "as appropriate." It is hard to know if follow-up services are appropriate without some follow-up communication with the client. Since the Governor is ultimately accountable for performance, the management team felt the follow-up would benefit the State as a whole to meet performance goals.

Many members provided their input on this State requirement. Liz and Bob acknowledged that it is reasonable to exercise some judgment in the implementation of the follow-up requirements. Bob Hermsmeier thanked the membership for their input and agreed to give this issue further consideration.

Self Service Count Coordination—Liz Clingman, WSB. There are new rules from the DOL on self service counts. The State is trying to figure out how to implement these new requirements. California has to report unique self service counts for Wagner-Peyser and WIA. The following proposal is the recommended resolution to the self service count issue. There are three options:

1. LWIAs that are currently using CalJobs as the self service/labor exchange system will continue this activity. The State will extract the local counts out of CalJobs.

2. LWIAs that are using an alternative system will be required to load eight elements into JTA on the universal screen.
3. LWIAs that can not extract unduplicated counts of their self service clients will be required to adopt CalJobs in the One-Stop. It is the only tool the State has available with Internet access. This is probably the most problematic because we still have a large number of local areas that responded that they can not give us any unduplicated count of self service clients.

The Advisory Group expressed no objections to the recommended proposal.

System Building: Tools for Workforce Investment Boards— Fred Slone, San Mateo. This agenda item was tabled for a future Advisory Committee meeting.

Purchasing Restrictions—Jan Vogel, South Bay. There was a discussion that centered on the monitors' review of the LWIA's procurement system because all WIA procurements are subject to some type of cost price analysis. It was explained that WIA requires LWIAs to procure under the Office of Management and Budget Circular rules while the Job Training Partnership Act allowed the Governor to define the procurement rules.

After a detailed discussion, the Advisory members decided to discuss their individual concerns directly with the Compliance Review Management Team.

Customer Satisfaction—Liz Clingman, WSB. On the previous Advisory call, members stated that they wanted to know who is not reporting customer satisfaction. Bob Hermsmeier sent an e-mail indicating that only 8-10 LWIAs have complied with the employer customer satisfaction reporting requirement. He also indicated that this is negatively affecting California's ability to receive an incentive award. California could receive up to \$3 million in incentive awards. The State would like this discussed at a CWA meeting.